

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50863 of 2023

Arising Out of PS. Case No.-662 Year-2021 Thana- COMPLAINT CASE District- Jamui

Arun Turi, Son of Sahdev Turi, Resident of village - Baksila, P.S. - Chakai,
Distt. - Jamui. Petitioner

Versus

1. The State of Bihar
2. Rajpati Devi, Wife of Arun Turi, D/o Late Dinesh Turi at present Resident of
village - Nagwe, P.S. - Simartula, Distt. - Jamui Opposite Parties

Appearance :

For the Petitioner	:	Mr. Mukul Jee, Advocate
For the State	:	Mr. Akhileshwar Dayal, APP
For the O.P. No. 2	:	Mr. Sanju Singh, Advocate
		Ms. Archana Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-08-2023 Heard learned counsel for the petitioner and learned
counsel for the complainant as also learned APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Complaint Case No. 662(C) of 2021 registered for the offences punishable under Sections 308, 313, 34 of the Indian Penal Code but cognizance has been taken under Sections 323, 498(A) of the Indian Penal Code. He has got one criminal antecedent.

3. As per the prosecution story, the complainant was married to the petitioner in the month of May, 2015 and after marriage a girl child was born. It is alleged that the petitioner and his family members tortured the complainant due to non-fulfillment of demand of dowry.



4. Learned counsel for the petitioner as well as learned counsel for the complainant agree that this case being a case of matrimonial dispute and the parties have got a minor child also, one effort is required to be taken to conduct a mediation to arrive at an amicable solution.

5. Learned counsel for the petitioner submits that in order to show his bonafides and to take care of his wife and minor child, the petitioner is ready to pay a sum of Rs.6,000/- per month for the present, subject to result of the maintenance case in which he will appear and participate towards early disposal and further, the petitioner will pay a sum of Rs.500/- on the date fixed in the mediation centre to facilitate meeting expenses in travelling etc. by his wife and minor child.

6. Learned counsel for the complainant agrees that subject to the aforesaid offer being made by the petitioner to be complied with, this Court may grant privilege of anticipatory bail to the petitioner in the best interest of the petitioner and his wife.

7. Having regard to the facts and circumstances of the case and the stand taken by the parties hereinabove, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released



on bail in connection with Complaint Case No. 662(C) of 2021 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Jamui, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

9. And further condition that in terms of his own offer, the petitioner will pay a sum of Rs.6,000/- (Rupees Six Thousand Only/-) per month to his wife and his minor child together within first 10 days of every month in the bank account of the complainant, subject to any other order which may be passed in the maintenance case and further he will pay a sum of Rs.500/- (Rupees Five Hundred Only/-) on the date fixed in the Mediation Centre to facilitate meeting of expenses in travelling etc. by this wife and child, failing which it will be open to the



complainant to file an application for cancellation of bail bond of the petitioner.

10. This Court further directs the learned court below to send the records of the case to the Mediation Centre attached to the District Court where both the parties shall be called and effort shall be taken for amicable resolution of the disputes.

11. This application stands disposed of.

(Rajeev Ranjan Prasad, J)

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